

**BUSINESS REPORT**

**MONTANA SENATE  
62nd LEGISLATURE - REGULAR SESSION**

**SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE**

**Date:** Thursday, March 17, 2011  
**Place:** Capitol

**Time:** 3:30 P.M.  
**Room:** 405

**BILLS and RESOLUTIONS HEARD:**

HB 229 - Revise laws pertaining to commercial vehicles  
HB 298 - Revise GVW laws on trucks  
HB 319 - Require contractors to list special fuel users' permit on bids for govt projects  
HB 517 - Revise laws regarding weigh scales

**EXECUTIVE ACTION TAKEN:**

SB 319 - Do Pass As Amended  
HB 216 - Do Concur As Amended  
HB 218 - Table  
HB 229 - Do Concur  
HB 277 - Do Concur As Amended  
HB 298 - Do Concur  
HB 319 - Do Concur  
HB 517 - Do Concur  
HB 584 - Do Concur As amended

**Comments:**



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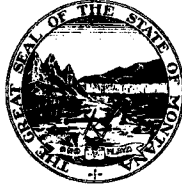
SEN. Lew Jones, Chair

MONTANA STATE SENATE  
ROLL CALL  
HIGHWAYS AND  
TRANSPORTATION  
COMMITTEE

DATE: 3-17, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Jones	X	
Vice Chair Sonju		X
Senator Arthun	X	
Senator Blewett	X	
Senator Buttrey		X
Senator Caferro		X
Senator Keane	X	
Senator Mowbray	X	
Senator Tutvedt	X	
Senator Vuckovich	X	
Senator Wanzenried		X
Senator Zinke		X

*12 Committee Members*



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 3

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 216** (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

*Senator Llew Jones, Chair*

To be carried by Senator Ron Arthun

**And, that such amendments read:**

1. Title, page 1, line 4.

**Strike:** "ALLOWING"

**Insert:** "REQUIRING THE DEPARTMENT OF JUSTICE TO ADOPT RULES FOR  
HARDSHIP LICENSES THAT ALLOW"

2. Title, page 1, line 6.

**Following:** "GUARDIAN;"

**Insert:** "REVISING THE DEPARTMENT'S RULEMAKING AUTHORITY;"

**Strike:** "61-5-106,"

**Insert:** "61-5-125,"

3. Page 1, line 10 through page 3, line 9.

**Strike:** everything after the enacting clause

**Insert:** "**Section 1.** Section 61-5-125, MCA, is amended to read:

**"61-5-125. Authority of department -- rulemaking authority.**

(1) The department shall administer and enforce the provisions of this chapter.

(2) The department shall adopt rules setting standards to govern driver's license examinations and reexaminations. The rules:

(a) must specifically address the functional abilities and skills required for a person to exercise ordinary and reasonable control in the safe operation of a motor vehicle on a highway;

(b) must include minimum uncorrected or corrected visual

**Committee Vote:**

**Yes 10, No 2**

Fiscal Note Required \_\_\_\_

*de*

acuity requirements for both unrestricted and restricted licensure and may include minimum field of vision and depth perception requirements and hearing requirements for unrestricted and restricted licensure;

(c) may direct the design of one or more types of skills tests to assess an applicant's or licensee's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle on the highway. A skills test may consist of:

(i) a comprehensive assessment of a person's functional abilities by means of an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle; or

(ii) a more limited assessment of a person's functional abilities, conducted at the discretion of the department, as related to a specific physical or mental condition or conditions or a request for reexamination;

(d) must include operational restrictions based upon the visual acuity of an applicant or licensee;

(e) may take into consideration any nationally recognized standards or recommended practices for assessment of a person's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle on the highway;

(f) must include appropriate licensing criteria relating to the use of adaptive equipment or operational limits that can be readily discerned by law enforcement or a licensing agency in another jurisdiction;

(g) may be derived from medical guidelines and information compiled by driver licensing medical advisory or review boards from other jurisdictions, as well as information received from advocacy groups for persons with disabilities and senior citizens; and

(h) except as provided in 61-5-105, may not use a person's age or physical or mental disability, limitation, or condition as a justification for denial of a license.

(3) The department shall adopt rules governing the issuance of a hardship license to an underage applicant, including but not limited to an applicant who is 14 years of age or older who holds a valid instruction permit or a traffic education learner license under 61-5-106. The rules must consider whether a hardship license is needed because the applicant's licensed parent or guardian is not available to accompany the permitholder due to employment or circumstances related to the operation of a farm or ranch and the permitholder is required to drive more than 7 miles from the permitholder's residence to the permitholder's school bus stop.

~~(3)~~(4) The department may adopt additional rules governing:

(a) acceptable methods of proof of identification that must be supplied by a person upon application for or renewal of a driver's license;

~~(b) issuance of a hardship license to an underage applicant;~~

~~(c)~~(b) the cancellation of a driver's license upon receipt of an insufficient funds check in payment of license fees;

~~(d)~~(c) circumstances under which the department may issue a probationary license to a person whose license has been suspended or revoked or a person whose license is subject to a discretionary suspension or revocation;

~~(e)~~(d) restrictions to be imposed upon a probationary license;

~~(f)~~(e) renewal of a driver's license by a person in the military assigned to active duty who had a valid Montana driver's license at the time of entering active duty;

~~(g)~~(f) issuance of a replacement driver's license; and

~~(h)~~(g) a determination of the driver's license expiration date, minimum and maximum license terms, and license renewal requirements for a driver's license issued to a person who is a foreign national whose presence in the United States is temporarily authorized under federal law.""

- END -

## BILL TABLED NOTICE

### SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

The SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE TABLED  
HB 218 - Allow religious organizations to self-insure for motor vehicles, by motion, on  
Thursday, March 17, 2011.

\_\_\_\_\_  
(For the Committee)

*Sean Anderson*  
(For the Secretary of the Senate)

10:45 / 3-18-11  
(Time) (Date)

March 18, 2011

Kirk Lundby, Secretary

Phone: 4315

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## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 12

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 277** (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

*Senator Llew Jones, Chair*

To be carried by Senator Mary Caferro

**And, that such amendments read:**

1. Title, page 1, line 5.

**Following:** "CART";

**Insert:** "REQUIRING REGISTRATION OF CERTAIN GOLF CARTS;"

2. Title, page 1, line 6.

**Following:** "SECTIONS"

**Insert:** "10-3-1307, 23-1-105,"

**Following:** "61-1-101"

**Insert:** ", 61-3-312, 61-3-321, 61-3-332, 61-6-158,"

3. Page 1, line 10.

**Strike:** "Unlawful"

**Insert:** "Operation of golf carts -- unlawful"

**Strike:** "of golf cart"

4. Page 1, line 23.

**Following:** line 22

**Insert:** "(4) Except as provided in 61-3-321, a golf cart is exempt from titling, registration, and mandatory liability insurance requirements under this title."

5. Page 1, line 23.

**Following:** line 22

**Committee Vote:**

**Yes 7, No 0**

**Fiscal Note Required** \_\_\_\_

*de*

**Insert: "Section 2.** Section 10-3-1307, MCA, is amended to read:

**"10-3-1307. Responsibilities of department of transportation -- assessment and collection of fees -- issuance of permits -- inspection of motor carriers.** (1) After receiving notification from the person or entity that plans to ship high-level radioactive waste or transuranic waste through the state, the department of transportation shall assess fees according to the following schedule:

(a) a fee of \$2,500 must be assessed for each cask designed for transport by truck; and

(b) a fee of \$4,500 must be assessed for the first cask designed for transport by rail and a fee of \$3,000 for each additional cask designed for transport by rail that is shipped by the same person or entity in the same shipment.

(2) Payment of the fees provided in subsection (1) is the responsibility of the person or entity who owns the waste.

(3) Upon receipt of the fees provided in subsection (1), the department of transportation shall issue to the owner of the waste a permit that must be carried with the waste as it is traveling through the state.

(4) The department of transportation shall deposit all of the fees collected under this section in the radioactive waste transportation monitoring, emergency response, and training account created in 10-3-1304.

(5) If the waste is to be transported through the state by motor carrier, the department of transportation shall coordinate with the highway patrol on the inspection of the motor carrier by the motor carrier services division.

(6) This section does not exempt the operator of a motor carrier from any of the provisions of Title 61, chapter 10, from Title 69, chapter 12, or from any other law that applies to the operation of motor vehicles in Montana.

(7) Fees under this section must be assessed regardless of ownership, and 61-3-321~~(13)~~(14) and 61-10-127 do not apply."

**Insert: "Section 3.** Section 23-1-105, MCA, is amended to read:

**"23-1-105. Fees and charges.** (1) The department may levy and collect reasonable fees or other charges for the use of privileges and conveniences that may be provided and to grant concessions that it considers advisable, except as provided in subsections (2) and (6). All money derived from the activities of the department, except as provided in subsection (5), must be deposited in the state treasury in a state special revenue fund to the credit of the department.

(2) Overnight camping fees established by the department under subsection (1) must be discounted 50% for a campsite rented by a person who is a resident of Montana, as defined in 87-2-102, and either 62 years of age or older or certified as disabled in accordance with rules adopted by the department.

(3) For a violation of any fee collection rule involving a vehicle, the registered owner of the vehicle at the time of the



violation is personally responsible if an adult is not in the vehicle at the time the violation is discovered by an authorized officer. A defense that the vehicle was driven into the fee area by another person is not allowable unless it is shown that at that time, the vehicle was being used without the consent of the registered owner.

(4) Money received from the collection of fees and charges is subject to the deposit requirements of 17-6-105(6) unless the department has submitted and received approval for a modified deposit schedule pursuant to 17-6-105(8).

(5) There is a fund of the enterprise fund type, as defined in 17-2-102(2)(a), for the purpose of managing state park visitor services revenue. The fund is to be used by the department to serve the recreating public by providing for the obtaining of inventory through purchase, production, or donation and for the sale of educational, commemorative, and interpretive merchandise and other related goods and services at department sites and facilities. The fund consists of money from the sale of educational, commemorative, and interpretive merchandise and other related goods and services and from donations. Gross revenue from the sale of educational, commemorative, and interpretive merchandise and other related goods and services must be deposited in the fund. All interest and earnings on money deposited in the fund must be credited to the fund for use as provided in this subsection.

(6) In recognition of the fact that individuals support state parks through the payment of certain motor vehicle registration fees, persons who pay the fee provided for in 61-3-321~~(18)(a)~~(19)(a) may not be required to pay a day-use fee for access to state parks. Other fees for the use of state parks and fishing access sites, such as overnight camping fees, are still chargeable and may be collected by the department.""

**Renumber:** subsequent sections

6. Page 8, line 27.

**Strike:** "and"

7. Page 8, line 28.

**Following:** "chapter 9"

**Insert:** "; (iii) a golf cart only if it is equipped for use on the highways as prescribed in chapter 9 and is operated pursuant to [section 1]"

8. Page 8, line 30.

**Strike:** "a golf cart,"

9. Page 14, line 28.

**Following:** line 27

**Insert:** "**Section 5.** Section 61-3-312, MCA, is amended to read:  
"61-3-312. **Renewal of registration -- exceptions -- grace**

**period.** (1) Except as provided in 61-3-313 and 61-3-721, the registration of a motor vehicle under this chapter must be renewed on or before the last day of the month of the motor vehicle's registration period following the expiration of the motor vehicle's registration.

(2) Except as provided in subsection (4), a person may renew a motor vehicle's registration by submitting full payment for the fees or taxes required under 61-3-303 and 61-3-321~~(12)~~(13) to the department, an authorized agent, or a county treasurer in any county of this state.

(3) The department, an authorized agent, or a county treasurer may use the online motor vehicle liability insurance verification system provided in 61-6-157 to verify proof of compliance with 61-6-301.

(4) Beginning July 1, 2011, and except when the verification system is temporarily unavailable, a registration may not be renewed when compliance with 61-6-301 cannot be determined using the verification system.

(5) Except as provided in 61-3-315, the registration period originally assigned under 61-3-311 must be retained and the duration of the renewed registration is determined in accordance with 61-3-311. A registration receipt is valid for the registration period for which it is issued.

(6) The owner of a motor vehicle subject to registration renewal under the provisions of this section is considered to have renewed the motor vehicle's registration in a timely manner if the owner submits full payment for the required fees or taxes, as prescribed in the mail renewal notice from the department, to the department, an authorized agent, or a county treasurer on or before the last day of the month of the motor vehicle's registration period and if, beginning July 1, 2011, the department, authorized agent, or county treasurer determines the owner is in compliance with 61-6-301 using the verification system provided in 61-6-157.

(7) The department, an authorized agent, or a county treasurer may not renew the registration of a motor vehicle for which ownership has been transferred and that was originally registered without being titled under the provisions of 61-3-303(3)(b) unless:

(a) the previously issued certificate of title has been surrendered to the department, an authorized agent, or the county treasurer and the process for issuing a certificate of title has been completed; or

(b) the person to whom ownership of the motor vehicle has been transferred presents an affidavit and bond in support of the application for a certificate of title as permitted in 61-3-208."

**Insert:** "Section 6. Section 61-3-321, MCA, is amended to read:

**"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees.** (1) Except as otherwise provided in this section,

registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through ~~(19)~~ (20):

(2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

- (a) if the vehicle is 4 or less years old, \$217;
- (b) if the vehicle is 5 through 10 years old, \$87; and
- (c) if the vehicle is 11 or more years old, \$28.

(3) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee based on the declared weight of a trailer, semitrailer, or pole trailer is as follows:

- (a) if the declared weight is less than 6,000 pounds, \$61.25; or
- (b) if the declared weight is 6,000 pounds or more, \$148.25.

(4) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee for motor vehicles owned and operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

- (a) 2,850 pounds and over, \$10; and
- (b) under 2,850 pounds, \$5.

(5) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee for off-highway vehicles other than a quadricycle or motorcycle is \$61.25.

(6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

(7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

- (i) less than 2 years old, \$282.50;
- (ii) 2 years old and less than 5 years old, \$224.25;
- (iii) 5 years old and less than 8 years old, \$132.50; and
- (iv) 8 years old and older, \$97.50.

(b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee under this section may permanently register the motor home upon payment of:

- (i) a one-time registration fee of \$237.50;
- (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be deposited in the account established under 61-6-158; and
- (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406.

(8) (a) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee for motorcycles and quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

(b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as a safety fee,

which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(9) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee for travel trailers, based on the length of the travel trailer, is as follows:

- (a) under 16 feet in length, \$72; and
- (b) 16 feet in length or longer, \$152.

(10) Except as provided in subsection ~~(14)~~ (15), the one-time registration fee for a motorboat, sailboat, personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

- (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length, \$65.50;
- (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in length, \$125.50; and
- (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

(11) (a) Except as provided in subsections (11)(b) and ~~(14)~~ (15), the one-time registration fee for a snowmobile is \$60.50.

(b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose of daily rental to customers is assessed:

- (A) a fee of \$40.50 in the first year of registration; and
- (B) if the business reregisters the snowmobile for a second year, a fee of \$20.

(ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently registered and the business is assessed the registration fee imposed in subsection (11)(a).

(12) The one-time registration fee for golf carts authorized to operate on certain public streets and highways pursuant to [section 1] is \$25. Upon receipt of the fee, the department shall issue the owner a decal, which must be displayed visibly on the golf cart.

~~(12)~~(13) (a) Except as provided in subsection ~~(12)~~(b) (13)(b), a fee of \$10 must be collected when a new set of standard license plates, a new single standard license plate, or a replacement set of special license plates required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be paid if the vehicle to which the plates are transferred is not currently registered.

(b) Until January 1, 2015, an additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate number from license plates issued on or after January 1, 2006, but before January 1, 2010, when replacement of those plates is required under 61-3-332(3).

(c) The fees imposed in this subsection ~~(12)~~ (13) must be deposited in the account established under 61-6-158, except that

\$2 of the fee imposed in subsection ~~(12)(a)~~ (13)(a) must be deposited in the state general fund.

~~(13)~~(14) The provisions of this part with respect to the payment of registration fees do not apply to and are not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(c), (1)(d), (1)(e), (1)(f), (1)(g), (1)(i), (1)(j), (1)(l), or (1)(m), 15-6-203, or 15-6-215, except as provided in 61-3-520.

~~(14)~~(15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle, quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile, or motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411 is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the fees imposed under this section.

~~(15)~~(16) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

~~(16)~~(17) Except as otherwise provided in this section, revenue collected under this section must be deposited in the state general fund.

~~(17)~~(18) The fees imposed by subsections (2) through (11) are not required to be paid by a dealer for the enumerated vehicles or vessels that constitute inventory of the dealership.

~~(18)~~(19) (a) Unless a person exercises the option in subsection ~~(18)(b)~~ (19)(b), an additional fee of \$4 must be collected for each light vehicle registered under this part. This fee must be accounted for and transmitted separately from the registration fee. The fee must be deposited in an account in the state special revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities. Of the \$4 fee, the department of fish, wildlife, and parks shall use \$3.50 for state parks, 25 cents for fishing access sites, and 25 cents for the operation of state-owned facilities at Virginia City and Nevada City.

(b) A person who registers a light vehicle may, at the time of annual registration, certify that the person does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election not to pay the additional \$4 fee provided for in subsection ~~(18)(a)~~ (19)(a). If a written election is made, the fee may not be collected.

~~(19)~~(20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle, quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be collected and forwarded to the state for deposit in the account established in 44-1-504.

~~(20)~~(21) This section does not apply to a motor vehicle,

trailer, semitrailer, or pole trailer that is governed by 61-3-721."

**Insert: "Section 7.** Section 61-3-332, MCA, is amended to read:

**"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates, generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles owned by other persons.

(2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(b), and (3)(c) of this section, all standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must bear a distinctive marking, as determined by the department, and be furnished by the department. In years when standard license plates are not reissued for a vehicle, the department shall provide a registration decal that must be affixed to the rear license plate of the vehicle.

(b) For light vehicles that are permanently registered as provided in 61-3-562 and motor vehicles described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive registration decal indicating that the motor vehicle is permanently registered. The registration decal must be affixed to the rear license plate of the permanently registered motor vehicle.

(c) For a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer that is permanently registered as provided in 61-3-313(2), the department may use the word or an abbreviation for the word "permanent" on the plate in lieu of issuing a registration decal for the plate.

(3) (a) (i) Beginning January 1, 2010, and every 5 years after that date, the department shall design standard license plates to replace previously issued standard license plates. For the purposes of this subsection (3), all military, veteran, and amateur radio license plates and any license plate with a wheelchair design, excluding collegiate or generic specialty plates with a wheelchair design, are treated as standard license plates.

(ii) License plates issued on or after January 1, 2010, must be replaced with the most recent design of standard license plates or a new replacement collegiate or generic specialty license plate if, upon renewal of registration under 61-3-332, the license plates are 5 or more years old or will become older than 5 years during the registration period.

(iii) License plates issued on or before January 1, 2010, must be replaced with the most recent design of standard license plates or a new replacement collegiate or generic specialty license plate in accordance with the implementation schedule

adopted by the department under 61-3-315. Until January 1, 2015, and upon payment of the fee required in ~~61-3-321(12)(b)~~ 61-3-321(13)(b), a vehicle owner may elect to keep the same license plate number from license plates issued on or after January 1, 2006, but before January 1, 2010, when replacement of those plates is required under this subsection.

(b) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-311, may display the license plate and plate design in effect at the time of registration for the entire registration period.

(c) A light vehicle described in subsection (2)(b) or a motor home that is permanently registered may display the license plate and plate design in effect at the time of registration for the entire period that the light vehicle or motor home is permanently registered.

(d) The provisions of this subsection (3) do not apply to a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer.

(e) The requirements of this subsection (3) apply to collegiate license plates authorized under 61-3-461 through 61-3-468, generic specialty license plates authorized under 61-3-472 through 61-3-481, commemorative centennial license plates authorized under 61-3-448, and special military or veteran license plates authorized under 61-3-458.

(4) For trailers and motor vehicles, other than motorcycles and quadricycles, plates must be of metal 6 inches wide and 12 inches in length. Except for generic specialty license plates, the outline of the state of Montana must be used as a distinctive border on all license plates, and the word "Montana" must be placed on each license plate. All license plates must be treated with a reflectorized background material according to specifications prescribed by the department.

(5) The distinctive registration numbers for standard license plates must begin with a number one or with a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. Except for special license plates, collegiate license plates, generic specialty license plates, and fleet license plates, the distinctive registration number or letter-number combination assigned to the motor vehicle must appear on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal baseline. The county number must be separated from the distinctive registration number by a separation mark unless a letter-number combination is used. The dimensions of the numerals and letters must be determined by the department, and all county and registration numbers must be of equal height.

(6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles, trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in addition to the markings provided in this section, standard license plates must

bear the following distinctive markings:

(a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may designate the prefix number for the various state departments. All numbered plates issued to state departments must bear the words "State Owned", and a year number may not be indicated on the plates because these numbered plates are of a permanent nature and will be replaced by the department only when the physical condition of numbered plates requires it.

(b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties, municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and operated by officials and employees in the line of duty and for motor vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees in the line of duty, there must be placed on the standard license plates assigned, in a position that the department may designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned to motor vehicles, trailers, semitrailers, or pole trailers of each of the counties in the state and those of the municipalities and special districts that obtain plates within each county must begin with number one and be numbered consecutively. Because these standard license plates are of a permanent nature, they are subject to replacement by the department only when the physical condition of the license plates requires it and a year number may not be displayed on the plates.

(7) For the purpose of this chapter, the several counties of the state are assigned numbers as follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25; Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33; Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41; Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must be assigned numbers by the department as they are formed, beginning with the number 57.

(8) Each type of special license plate approved by the legislature, except collegiate license plates authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be a separate series of plates, numbered as provided in subsection (5), except that the county number must be replaced by a design that distinguishes each separate plate series. Unless otherwise specifically stated in



this section, the special plates are subject to the same rules and laws as govern the issuance of standard license plates, must be placed or mounted on a motor vehicle, trailer, semitrailer, or pole trailer owned by the person who is eligible to receive them, with the registration decal affixed to the rear license plate of the motor vehicle, trailer, semitrailer, or pole trailer, and must be removed upon sale or other disposition of the motor vehicle, trailer, semitrailer, or pole trailer.

(9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon written application on a form prescribed by the department, be issued a special license plate with a design or decal bearing a representation of a wheelchair as the symbol of a person with a disability.

(b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of the motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or ordinances in this or any state, evidence of continued eligibility to use the license plate in the form of a valid special parking permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

(c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a special license plate upon written application, as provided in this subsection (9), is not required to reapply upon reregistration of the motor vehicle.

(10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through 61-3-733."

**Insert:** "Section 8. Section 61-6-158, MCA, is amended to read:

**"61-6-158. Vehicle insurance verification and license plate operating account.** (1) There is a vehicle insurance verification and license plate operating account in the state special revenue fund type as provided in 17-2-102.

(2) Fees imposed under 61-3-321(7)(b)(ii) and ~~(12)~~ (13), 61-3-333, 61-3-465(1)(b)(i), 61-3-480(2)(c)(i), or 61-3-562(1)(a)(ii) or established and collected under 61-6-105 must be deposited in the account.

(3) The money in the vehicle insurance verification and license plate operating account must be used by the department to pay costs incurred in or associated with the operation, maintenance, and enhancement of the system established under 61-6-157 and the contract required in 61-3-338 for the manufacture and distribution of license plates by Montana correctional enterprises."

**Renumber:** subsequent sections

10. Page 16, line 3.

**Insert:** "COORDINATION SECTION. Section 11. Coordination instruction. If both House Bill No. 213 and [this act] are passed

and approved, then the section of [this act] amending 61-1-101 is void and the definition of "motor vehicle" in 61-1-101 must be amended as follows:

"(40)(a) "Motor vehicle" means:

(i) a vehicle propelled by its own power and designed or used to transport persons or property upon the highways of this state; and

(ii) a quadricycle if it is equipped for use on the highways as prescribed in chapter 9; and

(iii) a golf cart only if it is equipped for use on the highways as prescribed in chapter 9 and is operated pursuant to [section 1 of this act] or by a person with a low-speed restricted driver's license.

(b) The term does not include a bicycle as defined in 61-8-102, an electric personal assistive mobility device, a motorized nonstandard vehicle, or a motorized wheelchair or other low-powered, mechanically propelled vehicle that is designed specifically for use by a physically disabled person and that is used as a means of mobility for that person.""

**Renumber:** subsequent sections

- END -



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 584** (third reading copy -- blue) **be concurred in as amended.**

Signed: \_\_\_\_\_

*Senator Llew Jones, Chair*

To be carried by Senator Edward Buttrely

**And, that such amendments read:**

1. Page 3, line 5.

**Following:** ~~plates.~~

**Insert:** "New license plates issued under 61-3-303 or this section must be a standard license plate design first issued within the last 35 years or current collegiate or generic speciality license plate designs. For the purposes of this subsection (3), all military, veteran, and amateur radio license plates and any license plate with a wheelchair design, excluding collegiate or generic specialty plates with a wheelchair design, are treated as standard license plates. (ii)"

2. Page 3, line 9 through line 10.

**Strike:** "The" on line 9 through "designs." on line 10

3. Page 3, line 14.

**Strike:** "(ii)"

**Insert:** "(iii)"

- END -

**Committee Vote:**

**Yes 7, No 5**

**Fiscal Note Required** \_\_\_\_

HB0584001SC08055.sdr

DR



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **Senate Bill 319** (first reading copy -- white) **do pass as amended**.

Signed: \_\_\_\_\_

A handwritten signature in dark ink, appearing to read "Llew Jones", written over a horizontal line.

*Senator Llew Jones, Chair*

**And, that such amendments read:**

1. Page 2, line 22.

**Strike:** "18"

**Insert:** "6"

**Following:** "age"

**Insert:** "and weighs less than 60 pounds"

- END -

**Committee Vote:**

**Yes 11, No 1**

**Fiscal Note Required** \_\_\_\_

SB0319001SC.sdr

A handwritten mark or signature in the bottom right corner of the page, possibly reading "De".



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 517** (third reading copy -- blue) be concurred in.

Signed: \_\_\_\_\_

*Llew Jones*

*Senator Llew Jones, Chair*

To be carried by Senator Bruce Tutvedt

- END -

**Committee Vote:**

**Yes 8, No 0**

Fiscal Note Required \_\_\_\_

HB0517001SC06485.sdr

*OR*



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 229** (third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Llew Jones*  
Senator Llew Jones, Chair

To be carried by Senator Jim Keane

- END -

**Committee Vote:**

**Yes 8, No 0**

Fiscal Note Required \_\_\_\_

HB0229001SC01438.sdr

*DE*



**SENATE STANDING COMMITTEE REPORT**

**March 17, 2011**

**Page 1 of 1**

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 298** (third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Llew Jones*  
*Senator Llew Jones, Chair*

To be carried by Senator Jim Keane

- END -

**Committee Vote:**

**Yes 8, No 0**

Fiscal Note Required \_\_\_\_

HB0298001SC01438.sdr

*OK*



## SENATE STANDING COMMITTEE REPORT

March 17, 2011

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 319** (third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Senator Llew Jones, Chair*

To be carried by Senator Jim Keane

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required ☐

HB0319001SC01438.sdr

02



**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-10 BILL NO: HB 216 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Be Concurred In AS Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun	X		
Senator Blewett	X		
Senator Buttrey		X	X
Senator Caferro	X		
Senator Keane	X		
Senator Mowbray		X	
Senator Tutvedt	X		
Senator Vuckovich	X		X
Senator Wanzenried	X		X
Senator Zinke	X		X
Vice Chair Sonju	X		X
Chairman Jones	X		

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 10 No: 2

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-11 BILL NO HB 218 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Be Tabled

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun	X		
Senator Blewett	X		
Senator Buttrey	X		X
Senator Caferro		X	
Senator Keane	X		
Senator Mowbray	X		
Senator Tutvedt	X		
Senator Vuckovich	X		X
Senator Wanzenried	X		X
Senator Zinke	X		X
Vice Chair Sonju	X		X
Chairman Jones	X		

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 11 No: 1

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-11 BILL NO HB584 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Be Concurred In As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun		X	
Senator Blewett	X		
Senator Buttrey	X		X
Senator Caferro	X		
Senator Keane	X		
Senator Mowbray	X		
Senator Tutvedt		X	
Senator Vuckovich		X	X
Senator Wanzenried	X		X
Senator Zinke		X	X
Vice Chair Sonju		X	X
Chairman Jones	X		

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 7 No: 5

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-11 BILL NOSD 319 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Be Amended (exhibit #6)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun		X	
Senator Blewett	X		
Senator Buttrey		X	X
Senator Caferro	X		
Senator Keane		X	
Senator Mowbray		X	
Senator Tutvedt		X	
Senator Vuckovich		X	X
Senator Wanzenried	X		X
Senator Zinke		X	X
Vice Chair Sonju		X	X
Chairman Jones		X	X

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 3 No: 9

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-11 BILL NO SB 319 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Be Amended (exhibit #7)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun		X	
Senator Blewett	X		
Senator Buttrey		X	X
Senator Caferro	X		
Senator Keane	X		
Senator Mowbray		X	
Senator Tutvedt		X	
Senator Vuckovich	X		X
Senator Wanzenried	X		X
Senator Zinke		X	X
Vice Chair Sonju		X	X
Chairman Jones		X	X

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 5 No: 7

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**HIGHWAYS AND TRANSPORTATION COMMITTEE**

DATE: 3-17-11 BILL NO SB 319 AMEND. NO. \_\_\_\_\_ MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Senator Arthun	X		
Senator Blewett		X	
Senator Buttrey	X		X
Senator Caferro	X		
Senator Keane	X		
Senator Mowbray	X		
Senator Tutvedt	X		
Senator Vuckovich	X		X
Senator Wanzenried	X		X
Senator Zinke	X		X
Vice Chair Sonju	X		X
Chairman Jones	X		X

12 COMMITTEE MEMBERS

TOTAL VOTE: Aye: 11 No: 1

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Jon Sonju , request to be excused from the

## Highways and Transportation COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Sen. Tctvedt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 216 Lucas Amendment	X				
H 218 to table	X				
HB 584 as Amended		X			
SB 319 amend 1		X			
319 amend 2		X			
319 as amended	X				

Sen. Jon Sonju  
(Signature)

Date 3-17-2011

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Ryan Zinke , request to be excused from the

## Highways and Transportation COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

~~Vice Chair Jon Sonju~~ Sen. Ted Vvedt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 216 as amended	<input checked="" type="checkbox"/>				
HB 218 To table	<input checked="" type="checkbox"/>				
HB 584 as Amended		<input checked="" type="checkbox"/>			
SB 319 amend 1		<input checked="" type="checkbox"/>			
3A amend 2		<input checked="" type="checkbox"/>			
SB 319 as amended	<input checked="" type="checkbox"/>				

Sen.  (Signature)

Date 3-17-2011



# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Highway & Transport Committee because of other commitments. I desire to leave my proxy vote with:

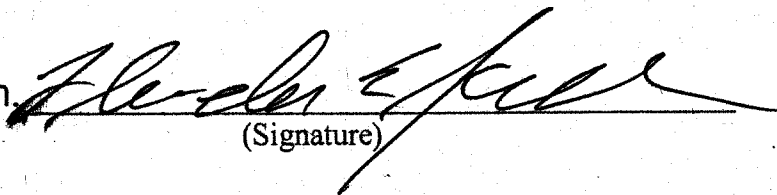
Sen. Turvedt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

319 Amnd 1		X
Amnd 112		X
319 as amended	X	

BILL/AMENDMENT                      AYE      NO


sen.   
(Signature)

Date 3-17-201

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Edward Buttrey, request to be excused from the  
**Highways and Transportation COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Jon Sonju *Sen. Moubray*

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 216 DCAA	<del>X</del>	X
HB 218 Table	X	
HB 584 DCAA	X	
SB 319 Amend 1		X
" " Amend 2		X
SB 319 PAA	X	

BILL/AMENDMENT	AYE	NO

Sen. *E. Buttrey*  
(Signature)

Date 3-17-2011

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Transportation Committee because of other commitments. I desire to leave my proxy vote with:

Jim Lee

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
216	X	
218 Table	X	
584	X	
319 Amend ①	X	
319 Amc, ②	X	
319	X	

BILL/AMENDMENT	AYE	NO

Sen. WENZEL  
(Signature)

Date 3-17-2011

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Transport Committee  
because of other commitments. I desire to leave my proxy vote with:

Jim Keane

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

216	X	
218 Table	X	
584		X
319 Amend		X
319 Amend 2	X	
319	X	

BILL/AMENDMENT                      AYE      NO


Sen. Jim Keane  
(Signature)

Date 3-17-2011

**SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE**

**Sponsor: Representative Walter McNutt**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**



## SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

**Thursday, March 17, 2011**

## HB 319 - Require contractors to list special fuel users' permit on bids for govt projects

**Sponsor: Representative Walter McNutt**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

## SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

**Sponsor: Representative Walter McNutt**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**